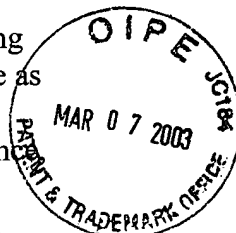


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on 4 March 2003



Patent Application
Examining Group 1638
Docket No. M12C1FDFD2
Serial No. 10/035,060

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Jeff Lloyd, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Anne R. Kubelik, Ph.D.
Art Unit : 1638
Applicants : David L. Edwards, Corinna Herrnstadt, Edward R. Wilcox, Siu-Yin Wong
Serial No. : 10/035,060
Date Filed : December 27, 2001
For : Process for Altering the Host Range of *Bacillus thurgiensis* Toxins, and Novel Toxins Produced Thereby

Assistant Commissioner for Patents
Washington, D.C. 20231

SUBMISSION OF SEQUENCE LISTING AND STATEMENT UNDER 37 CFR §1.821-1.825

Sir:

Transmitted herewith in computer readable form and on a paper is a Sequence Listing under 37 CFR §§1.821 through 1.825 for the above-identified patent application. A further Notice to Comply with Sequence Rules under 37 CFR §§1.821-1.825 was mailed on February 24, 2003 from the Patent and Trademark Office.

I hereby certify that the attached sequence listing in computer readable form is identical to the attached paper copy of the sequence listing and that no new material is added by this submission.

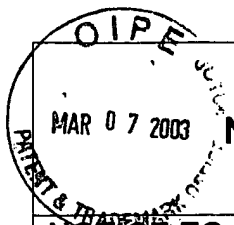
Respectfully submitted,


Jeff Lloyd
Patent Attorney

Registration No. 35,589
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: Gainesville, Florida 32606-6669

JL/srp

Attachments: Sequence Listing on paper; computer readable format containing the same information as paper copy of Sequence Listing; copy of Notice to Comply.



Notice to Comply

COPY

Application No.

10/035,060

Examiner

Anne R. Kubelik

Applicant(s)

EDWARDS ET AL

Art Unit

1638

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NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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